

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Probate Proceeding, Miscellaneous and
Accounting Proceedings in the Estate of

MARGARET A. McKEOWN,

Deceased

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08 CIV. 5914
Surrogate's Court Westchester County
File No. 2239/2003

MOTION TO REMAND

For Referral to the Hon. Shira A.
Scheindlin as related to
08 CIV 2391 (SAS)

S I R S:

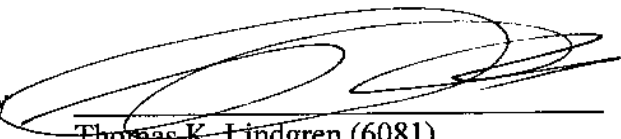
PLEASE TAKE NOTICE, that upon the annexed Affidavit of Thomas K. Lindgren sworn to on July 10, 2008, the Petition for Removal dated June 30, 2008 and the Exhibits annexed and upon all the papers and proceedings previously had herein, the undersigned will move this Court, before the **Hon. Shira A. Scheindlin**, United States District Judge, at 500 Pearl Street, New York 10007, at a date and time to be determined by the Court for an order pursuant to 28 USCS 1447 remanding this case to the Surrogate's Court of Westchester County on the grounds that the removal from State Court to Federal Court was untimely, improper and that Kevin McKeown has waived any right to removal, and for such other and further relief as to this court deems just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Raleigh, North Carolina
July 10, 2008

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By


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